

Keystone Landfill Task Force

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July 2, 1996

Mr. Thomas Voltaggio
USEPA, Region III
841 Chestnut Building
Philadelphia, Pa 19107-4431

Dear Mr. Voltaggio:

A document titled "EPA - Superfund Administrative Reforms Overview" was recently discovered along with other legal documentation in the Administrative Record for the Keystone Site. This document embraces many concepts that citizens' groups and responsible parties alike have been endorsing and is a perfect match for the Keystone Site and the present circumstances in our community.

The remediation plan currently required by EPA consists of a groundwater extraction and treatment system, a synthetic cap, a gas collection system, and a monitoring program estimated to cost \$9-15 million according to various official documents. Responsible parties, for valid technical reasons and cost factors, do not want to put a cap on the site.

Last summer, local citizens' groups recognized an alternative solution existed and proposed the Common Sense Initiative to EPA and the Responsible Parties. Residents, who had never believed they would consider anything less than a full cap, studied the technical arguments and cost considerations, and suggested a partial cap combined with a buffer zone and alternate water supplies as a potential solution. EPA, DEP, and the responsible parties have not yet responded to the community's Common Sense Initiative.

Recent sampling of off-site residential wells has detected more site related contaminants, emphasizing the need for clean up now. The emergency level response required by these findings reminds all stakeholders of the urgency of this situation. In light of the tremendous costs savings to the responsible parties by some form of alteration of the cap, and the expectation that this would bring about a much quicker resolution to protect the community, local citizens groups have indicated they would accept a pump and treat system without any cap but only if the following conditions are met:

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(1) A buffer zone is established made up of adjacent areas showing landfill related impact. (Property owners within this buffer zone should be offered compensation for their homes and land, either by outright purchase of the property, or by purchase of permanent easements to prohibit development.)

(2) Alternate water supplies are offered to homes within a one mile radius of the perimeter of the landfill, and alternate water supplies are offered to all homes within a two mile radius which have at any time since 1983 tested positive for site related contamination, regardless of level.

County and township officials involved with the Task Force are willing to consider alternatives if responsible parties can address their concerns of long term community safety, responsibility, and liability.

The procedures for instituting these new reforms are just in the process of being developed. Present circumstances at the Keystone Site already coincide with the intent of these reforms.

1. Control remedy costs and promote cost-effectiveness.

Our Common Sense Initiative will result in substantial remedial savings, possibly \$5 million. The concept behind altering the cap is a new technology that will "allow for more efficient and cost-effective cleanup, while achieving the same level of protection for human health and the environment." A buffer zone and alternative water supplies provide protection to the community.

2. Ensure all Risk Assessments are grounded in reality.

This will be accomplished by soliciting early stakeholder input about the site. Had this been done at the Keystone Site for Operable Unit 1, an Operable Unit 2 would not have been necessary. Local residents' involvement in OU2 has been instrumental in locating off-site problem areas. The community will be more accepting of an immediate "action" remedy grounded in common sense than of more costly and continuing studies.

3. Increase the number of protected small contributors.

EPA just recently utilized this reform to enter into De micromis settlements with several of the smaller waste contributors at the Keystone Site.

4. Ensure that communities stay more informed and involved in cleanup decisions.

This will be accomplished through a new community-based remedy selection process whereby guidelines will be developed to "empower affected parties to play a direct role in finding a protective, cost-effective remedy at their sites that meets statutory requirements and makes common sense." Task Force Meetings have allowed residents and government officials to improve communications and stay better informed. As a result, the local citizens groups, PACE & CURE, were able to suggest an alternate, cost-effective remediation plan.

Our community has passed the point where we would be interested in starting over as a pilot project, as suggested by these new reforms. Instead, we are asking EPA to act based on the philosophy and intent of these reforms; we ask EPA to implement a common sense remediation supported by the community that will bring much quicker relief to residents, as well as a final resolution for all the Keystone site stakeholders.

Please use these reforms to reach a settlement with the responsible parties. A lengthy court battle is certain if the controversy on the cap issue cannot be resolved soon. This is even more reason why our Common Sense Initiative should be instituted to protect our community. If a settlement cannot be reached, we would like to have someone with authority from EPA to attend a Task Force meeting and be prepared to help us incorporate this into the Operable Unit 2 RI/FS.

WE NOW CHALLENGE EPA. PRACTICE WHAT YOU PREACH! We need cleanup now. The stage is set, and these reforms show the way. You have already used them to help some of the responsible parties. NOW, USE THEM TO HELP THE REST OF US.

Sincerely,

Keystone Landfill Task Force

Dean M. Hilker W.P. for CURE INC.

Jason D. Nardiga for PACE INC.

_____ for Carroll County Commissioners

Joseph J. Mjive for Union Township Supervisors

Enclosure:

EPA-Superfund Administrative Reforms Overview, exerpt (The entire document can be found at the Hanover Library or St. Mary's United Church of Christ, repositories for the Keystone site.)

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cc:

President Bill Clinton
The Honorable Bill Goodling
The Honorable Steven Maitland
The Honorable Governor Tom Ridge
The Honorable Lt. Gov. Mark Schweiker
The Honorable Barbara Mikulski
The Honorable Governor Parris Glendening
The Honorable Donald Elliott
The Honorable Steve Nickol
The Honorable Paul Sarbanes
The Honorable Roscoe Bartlett
The Honorable Larry Haines
The Honorable Kathleen Townsend
James Seif, Sec. PADEP
Adams County Commissioners
Chris Corbett, USEPA
Larry Brown, USEPA
Carole Browner, Director, USEPA

Keystone Site Litigation Service List:

Keystone Sanitation Co.
Kenneth & Anna Noel
Hanover Bronze & Aluminum Foundry Inc.
R. H. Sheppard Co. Inc.
Quebecor Printing Fairfield Inc.
SKF USA Inc.
The ESAB Group
C & J Clark America, Inc.
Kemper Industries Inc.
The Glenyte Group, Inc.
Mary Rugala, USEPA
Robin Juni & Dan Dertke, DOJ
Thomas Scott
Charles Gutshall & Susan Schwab
Richard Friedman, Esq.
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William Thompson, Esq.
Clare Diemer, Esq.
Cathleen Myers, Esq.
Robert Fox
Scott Wyland

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